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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,315	08/20/2003	Jason Aaron Brown	171-003	6036
7590 05/21/2004				
MICHAEL E. McKEE		EXAMINER		
Attorney at Law		NGUYEN, PHUONGCHI T		
804 Swaps Lane		ART UNIT		
Knoxville, TN 37923		PAPER NUMBER		
		2833		

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/644,315

Applicant(s)

BROWN, JASON AARON

Examiner

Phuongchi Nguyen

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-19 is/are allowed.
- 6) ☒ Claim(s) 1 and 4-8 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. Applicant's amendment of March 22, 2004 is acknowledged. It is noted that claims 1, 10 and 19 are amended.

#### ***Specification***

2. The disclosure is objected to because of the following informalities:

On page 7, line 6, "a strap 62" is not shown in any drawings.

On page 4, line 20, "the plug 16" should be changed to --the plug body 16 --.

On page 5, line 25, "the box 38" should be changed to --the box 39--.

Appropriate correction is required.

#### ***Drawings***

3. The drawings are objected to because: on page 3, line 24, " a plurality of recesses or opening 24" is labeled in Fig. 2 as numeral reference 14.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 4-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cross et al (US5655924) in view of D'Addario (US6543094B2).

In regarding to claim 1, Cross et al discloses (figure 4) a device for securing a plug of a power cord within an electrical outlet, the device comprising a securement strap (34), which is securable about (adjacent to) the plug (11) of a power cord (12); and a cord (24 or 25) which is connected to the strap (34) and which is securable to the electrical outlet (13) within which the plug (11) is to be plugged so that removal of the plug (11) from the electrical outlet (13) is resisted by the cord (24 or 25). Cross et al lack a tensioning cord. However, D'Addario teaches a cord 14 is a tensioning cord (column 4, line 38) (figure 1). It would have been obvious to one having ordinary skill at the time the invention was made to modify the cord of Cross et al by having a tensioning cord as taught by D'Addario for having a stretching cord when the user pulls the power cord faraway.

In regarding to claim 4, Cross et al discloses the device wherein the cord (24 or 25) is connected to the securement strap (34) to form a loop (figure 4), which is capable of being secured to the electrical outlet (13).

In regarding to claim 5, Cross et al discloses the device (figure 4) wherein the cord (24) is a first cord (24) and the device further includes a second cord (25) which is connected to the strap (34) and which is securable to the electrical outlet (13) within which the plug (11) is to be plugged.

In regarding to claim 6, Cross et al discloses the device (figure 4) wherein the first and second cords (24, 25) are connected to the securement strap (34) at locations there along so that when the securement strap (34) is secured about the plug (11) of an electrical cord (12), the first and second cords (24, 25) are disposed on diametrically-opposed sides of the plug (11).

In regarding to claim 8, Cross et al discloses the device (figure 4) wherein there is associated with the electrical outlet (13), a stationary item (19) disposed adjacent the electrical outlet (13), and the tensioning cord (24, 25) is securable to the stationary item (19) to thereby connect the tensioning cord (24, 25) to the electrical outlet (13).

6. Claims 1, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackman (US6071142) in view of D'Addario (US6543094B2).

In regarding to claim 1, Blackman discloses (figure 1) a device for securing a plug of a power cord within an electrical outlet, the device comprising a securement strap (30), which is securable about (adjacent to) the plug (55) of a power cord (50); and a cord (14) which is connected to the strap (30) and which is securable to the electrical outlet (63) within which the plug (55) is to be plugged so that removal of the plug (55) from the electrical outlet (63) is resisted by the cord (14). Blackman lacks a tensioning cord. However, D' Addario teaches a cord 14 is a tensioning cord (column 4, line 38) (figure 1). It would have been obvious to one having ordinary skill at the time the invention was made to modify the cord of Blackman by having a tensioning cord as taught by D' Addario for having a stretching cord when the user pulls the power cord faraway.

In regarding to claim 4, Blackman discloses the device wherein the cord (14) is connected to the securement strap (30) to form a loop (figure 1), which is capable of being secured to the electrical outlet (63).

In regarding to claim 7, Blackman discloses the device (figure 1) further including a suction cup (18) which is attached to the cord (14) for attachment of the cord (14) to a flat surface (of 60) situated adjacent the electrical outlet (63) by way of the suction cup (18).

***Allowable Subject Matter***

7. Claims 10-19 are allowed.
8. Claims 2, 3 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter:

In regarding to claim 2, none of prior teaches or suggests the securement strap includes an elongated strip of flexible material adapted to be wrapped about the body of a plug and means associated with the elongated strip for releasably securing the elongated strip in a wrapped condition about the body of the plug.

In regarding to claim 9, none of prior teaches or suggests one of the securement strap and the tensioning cord is elastomeric.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchi Nguyen whose telephone number is (571) 272-2012. The examiner can normally be reached on 8:00AM-4:00PM.

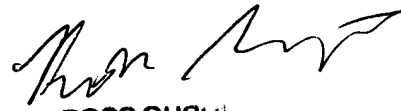
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PCN

May 3, 2004



**ROSS GUSHI**  
**PRIMARY EXAMINER**